

United States District Court
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

UNITED STATES OF AMERICA

§

§

vs.

§

Case No. 4:03cr95.2

§

CHARLES WESLEY LUFF

§

MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE

Came on for consideration the above-referenced criminal action, this Court having heretofore referred the request for revocation of Defendant's supervised release to the United States Magistrate Judge for proper consideration. The Court has received the report of the United States Magistrate Judge pursuant to its order.

As Defendant has waived his right to object, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct. Therefore, the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of the Court. It is, therefore,

ORDERED that the Magistrate Judge's Report is **ADOPTED** as the opinion of the Court. It is further

ORDERED that Defendant's supervised release is hereby **REVOKED**. It further

ORDERED that Defendant be committed to the custody of the Bureau of Prisons to be imprisoned for a period of ten (10) months followed by a twenty-six

(26) month term of supervised release, subject to the originally-imposed mandatory and standard conditions of supervision. It is further

ORDERED that Defendant pay restitution in the amount of \$43,850 to Peggy Harvey, due immediately, payable by cashier's check or money order, to the United States District Court and forwarded to the United States District Clerk's Office, P.O. Box 570, Tyler, Texas 75710. It is further

ORDERED that Defendant pay a fine of \$2,000, due immediately, payable by cashier's check or money order, to the United States District Court and forwarded to the United States District Clerk's Office, P.O. Box 570, Tyler, Texas 75710. It is further

ORDERED that Defendant shall provide the probation officer with access to any requested financial information for purposes of monitoring his compliance with the terms of the judgment. It is further

ORDERED that Defendant shall not incur new credit charges or open additional lines of credit without the approval of the probation officer unless payment of any financial obligation ordered by the Court has been paid in full. It is further

ORDERED the Defendant shall participate in a program of testing and treatment for drug abuse, under the guidance of the U.S. Probation Office, until such time as Defendant is released from the program by the probation officer. It is finally

ORDERED Defendant shall abstain from the use of alcohol and all other intoxicants during the term of supervision.

SIGNED this _____ day of _____, 2007.

So ORDERED and SIGNED this 5th day of March, 2007.

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

LEONARD DAVIS
UNITED STATES DISTRICT JUDGE